

HEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
P. O. Box 272400  
Fort Collins, Colorado 80527-2400



PATENT APPLICATION

ATTORNEY DOCKET NO. 10013342-1

IPW  
RCE  
2113

IN THE  
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Bessire

Confirmation No.: 1407

Application No.: 09/989,652

Examiner: Puente, Emerson

Filing Date: 11/21/2001

Group Art Unit: 2113

Title: A SYSTEM AND METHOD FOR ENSURING THE AVAILABILITY OF A STORAGE SYSTEM

Mail Stop RCE  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

REQUEST FOR CONTINUED EXAMINATION (RCE) 37 CFR 1.114

Subsection (b) of 35 U.S.C. 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.  
See The American Inventors Protection Act of 1999 (AIPA).

Sir:

This is a Request for Continued Examination (RCE) under CFR 1.114 of the above-identified applicaiton.

*NOTE: 37 CFR 1.114 is effective on May 20, 2000. If the above application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under CFR 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.*

Submission under 37 CFR 1.114

( ) Previously submitted:

( ) Consider the amendment(s)/reply under 37 CFR 1.116 previously filed on \_\_\_\_\_.  
(Any unentered amendment(s) referred to above will be entered).

( ) Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_.

( ) Other \_\_\_\_\_.

(X) Enclosed:

(X) Amendment/Reply

( ) Affidavit(s)/Declarations(s)

( ) Information Disclosure Statement (IDS)

( ) Other \_\_\_\_\_.

Miscellaneous

( ) Suspension of action is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months.  
The fee for this Suspension is (37 CFR 1.17(i)) \$130.00

( ) Other \_\_\_\_\_.

02/28/2005 HAL111 00000011 082025 09989652

01 FC:1801 790.00 DA  
02 FC:1202 300.00 DA

(X) RCE filing fee \$790.00

( ) A Petition for Extension of Time

( ) one month	\$120.00
( ) two months	\$450.00
( ) three months	\$1020.00
( ) four months	\$1590.00

Please charge to Deposit Account **08-2025** the sum of \$790.00. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account **08-2025** pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account **08-2025** under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees.

(X) A duplicate copy of this transmittal letter is enclosed.

(X) I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450.  
Date of Deposit: 02-23-05

OR

( ) I hereby certify that this paper is being transmitted to the Patent and Trademark Office facsimile number on \_\_\_\_\_

Number of pages:

Typed Name: **Marianne Boland**

Signature: Marianne Boland

Respectfully submitted,

Bessire

By

David Rodack

Attorney/Agent for Applicant(s)  
Reg. No. **47,034**

Date: **02-23-05**

Telephone No.: **(770) 933-9500**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Michael L. Bessire

Serial No.: 09/989,652

Filed: 11/21/2001



Confirmation Number: 1407

Group Art Unit: 2113

Examiner: Emerson C. Puente

Docket No. 10013342-1

For: **A SYSTEM AND METHOD FOR ENSURING THE AVAILABILITY OF A STORAGE SYSTEM**

**RESPONSE TO ACCOMPANY A REQUEST FOR CONTINUED EXAMINATION**

Mail Stop: AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The final Office Action mailed December 3, 2004 has been carefully considered. In response thereto, please enter the following amendments and consider the following remarks.

**AUTHORIZATION TO DEBIT ACCOUNT**

It is not believed that extensions of time or fees for net addition of claims are required, beyond those which may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor (including fees for net addition of claims) are hereby authorized to be charged to deposit account no. 08-2025.